



City of Santa Clara

Joint Meeting Agenda of the City Council and Authorities Concurrent & Santa Clara Stadium Authority Board



Tuesday, July 9, 2024

5:30 PM

**Hybrid Meeting
City Hall Council Chambers/Virtual
1500 Warburton Avenue
Santa Clara, CA 95050**

The City of Santa Clara is conducting City Council meetings in a hybrid manner (in-person and continues to have methods for the public to participate remotely).

• Via Zoom:

o <https://santaclaraca.zoom.us/j/99706759306>

Meeting ID: 997-0675-9306

o Phone 1(669) 900-6833

How to Submit Written Public Comment Before City Council Meeting:

1. Use the eComment tab located on the City Council Agenda page <https://santaclaraca.legistar.com/Calendar.aspx>. eComments are directly sent to the iLegislate application used by City Council and staff, and become part of the public record. eComment closes 15 minutes before the start of a meeting.
2. By email to clerk@santaclaraca.gov by 12 p.m. the day of the meeting. Those emails will be forwarded to the Council and will be uploaded to the City Council Agenda as supplemental meeting material. Emails received after the 12 p.m. cutoff time up through the end of the meeting will form part of the meeting record. Please identify the Agenda Item Number in the subject line of your email.

NOTE: Please note eComments and Emails received as public comment **will not** be read aloud during the meeting.

Agendas, Staff Reports and some associated documents for City Council items may be viewed on the Internet at <https://santaclaraca.legistar.com/Calendar.aspx>

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the City Clerk at Santa Clara City Hall, 1500 Warburton Avenue, Santa Clara, CA 95050 at the same time that the public records are distributed or made available to the legislative body. Any draft contracts, ordinances and resolutions posted on the Internet site or distributed in advance of the Council meeting may not be the final documents approved by the City Council. For the final document, you may contact the Office of the City Clerk at (408) 615-2220 or Clerk@santaclaraca.gov.

Signing Ceremony - 5:30 PM | Regular Meeting - 7:00 PM

5:30 PM SIGNING CEREMONY

Call to Order in the Council Chambers

Confirmation of Quorum

1. **24-594** [Ceremony for the Friendship City Renewal Between the City of Santa Clara and Icheon City](#)

7:00 PM JOINT CITY COUNCIL/STADIUM AUTHORITY BOARD MEETING

Call to Order in the Council Chambers

Pledge of Allegiance and Statement of Values

Roll Call

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

SPECIAL ORDER OF BUSINESS

- 2.A **24-371** [Recognition of the Santa Clara Women's League Donation of \\$12,000 to Support the Senior Center Health & Wellness Case Management Program and the "Be Strong, Live Long 2024" Health & Wellness Fair](#)
- 2.B **24-486** [Recognition of the Recipients of the Silicon Valley Power Sustainable Futures Scholarship Program at Mission College](#)

CONSENT CALENDAR

[Items listed on the CONSENT CALENDAR are considered routine and will be adopted by one motion. There will be no separate discussion of the items on the CONSENT CALENDAR unless discussion is requested by a member of the Council, staff, or public. If so requested, that item will be removed from the CONSENT CALENDAR and considered under CONSENT ITEMS PULLED FOR DISCUSSION.]

3.A **24-12** [Board, Commissions and Committee Minutes](#)

Recommendation: Note and file the Minutes of:
City/Mission College Liaison Committee - November 2, 2023
Governance and Ethics Committee - March 4, 2024
Governance and Ethics Committee - June 3, 2024
Parks & Recreation Commission - May 21, 2024
Senior Advisory Commission - April 22, 2024

3.B **24-88** [Action on Award of Contract for the 2024 Americans with Disabilities Act \(ADA\) Curb Ramps Project to ASG Builders](#)

Recommendation:

1. Determine that the proposed actions are exempt from CEQA pursuant to Section 15301 (Existing Facilities) of Title 14 of California Code of Regulations;
2. Determine that the proposed actions are exempt from NEPA pursuant to Section 58.35 (Categorical Exclusion) of Title 24 of the Code of Federal Regulations;
3. Award the Public Works Contract for the 2024 Americans with Disabilities Act Curb Ramps Project to ASG Builders, the lowest responsive and responsible bidder, in the amount of \$543,214, and authorize the City Manager to execute any and all documents associated with, and necessary for the award, completion, and acceptance of this Project, in final forms approved by the City Attorney; and
4. Authorize the City Manager to execute change orders up to approximately 15 percent of the original contract price, or \$81,482 for a total not to exceed amount of \$624,696 in final forms approved by the City Attorney.

3.C 24-658 Action to Authorize the City Manager to Complete Negotiations and Execute a Third Phase Agreement with the Northern California Power Agency (NCPA) for the Purchase of Renewable Energy from Grace Orchard Energy Center

- Recommendation:**
1. Authorize the City Manager, or designee, to complete negotiations, approve, and execute a Third Phase Agreement (Agreement) with the Northern California Power Agency for the purchase of renewable energy from the Grace Solar Facility in an annual approximate amount of \$1.2 to \$2 million, funded by the Electric Utility Fund, subject to the review and approval as to form by the City Attorney; and
 2. Authorize the City Manager to (a) take any and all actions as are necessary or advisable to implement and administer the Agreement; and (b) approve and execute future amendments to the Agreement so long as the contract price and term are not modified, subject to the review and approval as to form by the City Attorney.

3.D 24-631 [Action on Amendment No. 3 to Agreement with Questica, Inc. for the Budget and Financial Planning System](#)

Recommendation:

1. Authorize the City Manager to execute Amendment No. 3 to the Agreement with Questica, Inc. to extend the term of the agreement through August 25, 2029, and increase the maximum compensation by \$548,038.40 for a revised maximum compensation of \$1,425,076.52, subject to the appropriation of funds and in a final form approved by the City Attorney; and
2. Authorize the City Manager or designee to take any actions as necessary to implement and administer the Agreement with Questica, Inc. and negotiate and execute amendments to (a) add or delete services consistent with the scope of services, (b) renew the term of the agreement for up to five years through August 25, 2034, and (c) increase the maximum compensation for an additional \$600,000 for a total aggregate maximum compensation not to exceed \$2,025,076.52 for the extended term, subject to the appropriation of funds and the review and approval as to form by the City Attorney.

- 3.E 24-387** [City Council and Authorities Action Delegating Authority: to the City Manager for the City; the Executive Director for the Santa Clara Stadium Authority; the Contract Administrator for the Sports and Open Space Authority; and the Executive Director for the Housing Authority during the City Council recess from July 17, 2024 through August 19, 2024](#)

Recommendation: That the City Council/Stadium Authority Board/Sports and Open Space Authority/Housing Authority:

Adopt a Joint Resolution delegating authority to the City Manager for City/Executive Officer for Santa Clara Stadium Authority/Contract Administrator for Sports and Open Space Authority/Executive Director for Housing Authority to approve project related documents during the period from July 17, 2024 through August 19, 2024, and requiring the City Manager/Executive Director/Contract Administrator to submit a report on actions taken during the Council recess at a City Council/Stadium Authority/Sports and Open Space Authority/Housing Authority meeting in September 2024.

- 3.F 24-442** [Action to Accept the FY 2024/25 and FY 2025/26 California Library Literacy Services \(CLLS\) English as a Second Language \(ESL\) Grant Awards for the Read Santa Clara Program and Approve the Related Budget Amendments](#)

Recommendation:

1. Accept the total English as a Second Language (ESL) grant award of \$126,327 (\$61,618 for FY 2024/25 and \$64,709 for FY 2025/26) for the Read Santa Clara program;
2. Approve the FY 2024/25 budget amendment in the Library Operating Grant Trust Fund to recognize \$61,618 in grant revenue and establish a grant appropriation in the same amount for ESL Services as part of the Read Santa Clara program **(five affirmative Council votes required to appropriate additional revenue)**.

3.G 24-617 [Action to Authorize the Use of City Electric Forces for New Dark Fiber Installations at 881 Martin Avenue to 1705 Martin Avenue, and at 2434 Calle Del Mundo](#)

Recommendation: 1. Determine the proposed action is exempt from CEQA pursuant to Section 15303 (Class 3 - New Construction or Conversion of Small Structures) of Title 14 of the California Code of Regulations; and
2. Declare and determine in accordance with Section 1310 of the City Charter that the public works located at 881 Martin Avenue to 1705 Martin Avenue, and at 2434 Calle Del Mundo are better performed by the City with its own employees based on the information set forth in this Report to Council and authorize the performance of these public works consistent with this authorization.

3.H 24-666 [Action on a Resolution Revising the Regular Meeting Date for the Senior Advisory Commission](#)

Recommendation: Adopt a Resolution revising the Senior Advisory Commission regular meeting date and time to the third Monday of each month at 5 p.m.

PUBLIC PRESENTATIONS

[This item is reserved for persons to address the Council or authorities on any matter not on the agenda that is within the subject matter jurisdiction of the City or Authorities. The law does not permit action on, or extended discussion of, any item not on the agenda except under special circumstances. The governing body, or staff, may briefly respond to statements made or questions posed, and appropriate body may request staff to report back at a subsequent meeting. Although not required, please submit to the City Clerk your name and subject matter on the speaker card available in the Council Chambers.]

CONSENT ITEMS PULLED FOR DISCUSSION

PUBLIC HEARING/GENERAL BUSINESS

4. 24-679 [Discussion, Consideration, and Direction to Staff Regarding Actions to be Taken in Response to the Santa Clara County Civil Grand Jury Report Entitled “Irreconcilable Differences: Santa Clara City Council”](#)

Recommendation: Provide direction on the desired process to develop the City’s responses for the specified findings and recommendations outlined in the June 12, 2024 Santa Clara County Civil Grand Jury Report entitled “Irreconcilable Differences: Santa Clara City Council” in time to be submitted to the Civil Grand Jury by the required response date of September 10, 2024.

5. 24-180 A. [Discussion and Potential Actions Related to Proposed November 2024 Ballot Measure Authorizing the Issuance of General Obligation Bond Debt to Fund Public Infrastructure; Such Actions to Include the Following:](#)

1. [Adoption of a Resolution of Necessity](#)
2. [Introduction of an Ordinance Ordering the Submission of a Measure Incurring Bonded Indebtedness to the Voters at the November 2024 General Municipal Election](#)
3. [Direction on a Draft Expenditure Plan to be Included with the Measure](#)

- B. [Discussion and Council Direction on a Proposed Charter Amendment Regarding Public Works Procurement \[Charter Section 1310\] to Update the City’s Public Works Bidding and Contracting Authority, Allow for Design-Build Projects and Implement Other Technical Changes](#)

- Recommendation:**
1. Adopt the Resolution of Necessity determining necessity to issue bonds.
 2. Waive first reading and approve the introduction of an Ordinance ordering the submission of the measure incurring bonded indebtedness for the purpose of the acquisition, construction, and improvement of certain municipal improvement projects to City voters.
 3. Provide Direction on a potential Charter Amendment to update the Public Work Section 1310.

6. 24-475 Action (1) Authorizing the City Manager to Negotiate and Execute a 20MW Power Purchase Agreement with Bloom Energy to supply power to Amazon Web Services (AWS) and a separate Offtake Agreement with AWS; and (2) Authorizing the City Manager to Negotiate and Execute up to an additional 80 MW of Power Purchase Agreements with qualified vendors for in-City generation solutions and all needed agreements with Customers.

Recommendation:

1. Authorize the City Manager or designee to negotiate and Execute a 20MW Power Purchase Agreement with Bloom or a Bloom affiliate for Amazon Web Services (AWS) and a separate Offtake Agreement with AWS, subject to the review and approval as to form of the City Attorney;
2. Authorize the City Manager or designee to Negotiate and Execute up to an additional 80 MW of Power Purchase Agreements for in-City generation solutions with energy suppliers and separate Offtake Agreements with other SVP customers (each individual PPA and Offtake Agreement cannot exceed 20MW), subject to the review and approval as to form of the City Attorney;
3. Authorize the City Manager or designee to execute all documents, agreements, and certificates as may be required under the terms of the agreement, subject to the review and approval as to form of the City Attorney, including, but not limited to, collateral assignment agreements, estoppel certificates, and performance security documentation, and take any and all actions as are necessary or advisable to implement and administer the agreements; and
4. Authorize the City Manager or designee to execute any amendments to the agreements so long as there is no change to their price or term length.

7. 24-640 [Authorize the City Manager to Execute a Purchase and Sale Agreement with Feather River Land Trust for the Loyalton Property.](#)

Recommendation:

1. Determine the proposed action is exempt from CEQA pursuant to Sections 15312 (Class 12 - Sale of Surplus Land) of Title 14 of the California Code of Regulations; and
2. Authorize the City Manager or designee to execute a Purchase and Sale Agreement (Agreement) with Feather River Land Trust for the Loyalton Property in the amount of \$6 million and on the terms presented and take any necessary actions to implement and administer the Agreement, including, execution of a grant deed and an assignment agreement.

REPORTS OF MEMBERS, SPECIAL COMMITTEES AND COUNCILMEMBER 030 REQUEST

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

ADJOURNMENT

The next regular scheduled meeting is on Tuesday, July 16, 2024 in the City Hall Council Chambers.

MEETING DISCLOSURES

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. If a person wishes to challenge the nature of the above section in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Santa Clara, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

STREAMING SERVICES: As always, the public may view the meetings on SantaClaraCA.gov, Santa Clara City Television (Comcast cable channel 15 or AT&T U-verse channel 99), or the livestream on the City's YouTube channel or Facebook page.

Note: The public cannot participate in the meeting through these livestreaming methods; livestreaming capabilities may be disrupted at times, viewers may always view and participate in meetings in-person and via Zoom as noted on the agenda.

AB23 ANNOUNCEMENT: Members of the Santa Clara Stadium Authority, Sports and Open Space Authority and Housing Authority are entitled to receive \$30 for each attended meeting.

Note: The City Council and its associated Authorities meet as separate agencies but in a concurrent manner. Actions taken should be considered actions of only the identified policy body.

LEGEND: City Council (CC); Stadium Authority (SA); Sports and Open Space Authority (SOSA); Housing Authority (HA); Successor Agency to the City of Santa Clara Redevelopment Agency (SARDA); Bayshore North Project Enhancement Authority (BNPEA); Public Facilities Financing Corporation (PFFC)

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

If a member of the public submits a speaker card for any agenda items, their name will appear in the Minutes. If no speaker card is submitted, the Minutes will reflect "Public Speaker."

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Santa Clara will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities, and will ensure that all existing facilities will be made accessible to the maximum extent feasible. The City of Santa Clara will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities including those with speech, hearing, or vision impairments so they can participate equally in the City's programs, services, and activities. The City of Santa Clara will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.

Agendas and other written materials distributed during a public meeting that are public record will be made available by the City in an appropriate alternative format. Contact the City Clerk's Office at 1 408-615-2220 with your request for an alternative format copy of the agenda or other written materials.

Individuals who require an auxiliary aid or service for effective communication, or any other disability-related modification of policies or procedures, or other accommodation, in order to participate in a program, service, or activity of the City of Santa Clara, should contact the City's ADA Coordinator at 408-615-3000 as soon as possible but no later than 48 hours before the scheduled event.